

a) Claims 143 and 144 both comprise the feature:

"whereby ... the saturable inductor means and the L-C series-circuit are co-determinative of the frequency of self-oscillation".

This feature is neither described nor suggested by Walker and/or Pintell, whether taken individually or in combination.

In the next-to-last paragraph on page 3 of his latest office action, with respect to Pintell's Fig. 6, Examiner states that:

"The inverter includes ... LC series circuit 616, 617, and feedback means ... including a saturable inductor means 620 to co-determine the frequency of the inverter".

Applicant can find no indication in Pintell to the effect that his saturable inductor means (620) is operable to co-determine the frequency of the inverter.

In column 5, lines 15-20, Pintell states with respect to the saturable feedback transformer: "this transformer saturating at a rate commensurate with the discharge rate of condenser 616 through inductance 617 so as to be in resonance with the operating frequency of the system".

The fact that the saturable transformer is so constituted as to be "in resonance with the system" does not in any way mean that it is co-determinative of the frequency of the system.

b) In addition to the feature of "co-determination", each of claims 143-144 comprises the feature of:

"load means effectively connected in parallel with the tank- capacitor".

This feature, as combined with the feature of saturable inductor means and L-C circuit being co-determinative of inverter frequency, is neither described nor suggested by Walker and/or Pintell, either individually or in combination. Moreover, neither of these two references provides any indications to the effect that it might be desirable to provide this combination.

From extensive and directly relevant real-life engineering experience, Applicant can testify -- and herewith does so testify -- to the effect that there is very little that is obvious in terms of changing inverter topography between a series-excited/series-loaded L-C inverter circuit (such as that of Pintell) and a series-excited/parallel-loaded L-C inverter circuit (such as that of Walker or Applicant).

c) In re Sung Nam Cho (Appeal No. 86-973) the Board of Appeals concluded that the examiner has misstated the law by "equating that which is within the capabilities of the skilled designer with obviousness".

In instant case, it appears to Applicant that Examiner is doing exactly that, namely "equating that which is within the capabilities of the skilled designer with obviousness".

Clearly, the issue is one of sufficient motivation; which is to say: there must be some clear evidence to the effect that there would be some obvious reason why a "skilled designer" would seek to make the changes required of the applied references in such manner as to attain the invention as specifically claimed -- it being irrelevant whether or not this "skilled designer" finds it ever so simple to actually effect the changes.

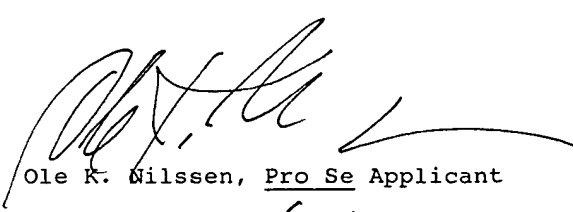
In instant case, Examiner has provided no evidence with respect to obvious sufficient motivation for combining Pintell with Walker, or vice versa.

d) Also, based on a recent CAFC decision, "obvious to try" should not be equated with obviousness.

CONCLUDING REMARKS

In view of the amendment of claim 141, and the arguments relative to claims 143-144, Applicant believes all claims to be allowable over the cited prior art.

In case Examiner were to disagree, Applicant requests of Examiner to call Applicant on the telephone, thereby to attempt to resolve any remaining issues in an expedient and cost-effective manner. The cost of prosecuting appeal, both to the tax payers and to Applicant personally, is quite significant and -- with but a modicum of good will and flexibility on part of Examiner -- may be avoided.


Ole K. Wilssen, Pro Se Applicant

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